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| EXAMINER |
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TRAN, TRANG U

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2622

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,521

Applicant(s)

KATOH, YUKIKO

Examiner

Trang U. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Shintani (US Patent No. 5,602,598).

In considering claim 1, Shintani discloses all the claimed limitations, note 1) the claimed a first selector that selects a broadcast signal for display of a video is met by the video signal select switch 10 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), 2) the claimed a second selector that selects a broadcast signal for output of a sound is met by the audio signal select switch 5 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), 3) the claimed a third selector that selects a broadcast signal for display of program link information independently from the broadcast signal for display of a video and the broadcast signal for output of a sound is met by the a closed caption decoder 11 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), 4) a receiver that receives the broadcast signals selected by the first selector as a first broadcast signal, selected by said second selector as a second broadcast signal and selected by said third selector as a third

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broadcast signal is met by the YCJ 12 and the speaker (Fig. 1, col. 3, lines 21-41), 5) the claimed a signal extractor that extracts a video signal from the first broadcast signal, a sound signal form the second broadcast signal and program link information from the third broadcast signal received by said receiver is met by the YCJ 12 and the speaker (Fig. 1, col. 3, lines 21-41), 6) the claimed a combiner that combines the video signal and program links information signal extracted by said signal extractor with each other and outputs the combined video signal is met by the YCJ 12 (Fig. 1, col. 3, lines 21-41), 7) the claimed a display device that displays as a video the combined video signal output from said combiner is met by the screen (Fig. 1, col. 4, lines 11-14), and 8) the claimed a sound output device that outputs as a sound the sound signal extracted by said signal extractor is met by the speaker (Fig. 1, col. 3, lines 42-48).

In considering claim 2, Shintani discloses all the claimed limitations, note 1) the claimed a first selector that selects a broadcast signal for display of a video is met by the video signal select switch 10 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), 2) the claimed a second selector that selects a broadcast signal for output of a sound is met by the audio signal select switch 5 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), 3) the claimed a third selector that selects a broadcast signal for display of program link information is met by the a closed caption decoder 11 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), 4) a receiver that receives the broadcast signals selected by the first, second and third selector as first, second and third broadcast signals, respectively is met by the YCJ 12 and the speaker (Fig. 1, col. 3, lines 21-41), 5) the claimed a signal extractor that extracts a video signal, a sound signal and program link information,

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respectively, from the first, second and third broadcast signals received by said receiver is met by the YCJ 12 and the speaker (Fig. 1, col. 3, lines 21-41), 6) the claimed a combiner that combines the video signal and program links information signal extracted by said signal extractor with each other and outputs the combined video signal is met by the YCJ 12 (Fig. 1, col. 3, lines 21-41), 7) the claimed a display device that displays as a video the combined video signal output from said combiner is met by the screen (Fig. 1, col. 4, lines 11-14), and 8) the claimed a sound output device that outputs as a sound the sound signal extracted by said signal extractor is met by the speaker (Fig. 1, col. 3, lines 42-48), 9) the claimed wherein said receiver includes a first receiver that receives the broadcast signal selected by said first selector as the first broadcast signal is met by the video signal select switch 10 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), 10) the claimed a second receiver that receives the broadcast signal selected by said second selector as the second broadcast signal is met by the audio signal select switch 5 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), 11) the claimed a third receiver that receives the broadcast signal selected by said selector as the third broadcast signal is met by the a closed caption decoder 11 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), and 12) wherein said signal extractor includes a video signal extractor that extracts the video signal from the first broadcast signal received by said first receiver the video signal select switch 10 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), 13) the claimed a sound signal extractor that extracts the sound signal from the second broadcast signal received by said second receiver is met by the audio signal select switch 5 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48), and 14) the claimed a

program link information signal extractor that extracts the program link information signal from the third broadcast signal received by said third receiver is met by the a closed caption decoder 11 (Fig. 1, col. 3, lines 1-20 and col. 4, lines 46-48).

Method claim 10 is rejected for the same reasons as discussed in the corresponding apparatus claim 1 above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shintani (US Patent No. 5,602,598) in view of the admitted prior art (Fig. 10 disclosed in pages 1-9 of the specification).

In considering claim 3, Shintani discloses all the claimed limitations as discussed in claim 2 above except for providing that said first receiver includes a plurality of first tuners that receive broadcast signals of the same or different broadcast systems, said second receiver includes a plurality of second tuners that receive broadcast signals of the same or different broadcast systems, said third receiver includes a plurality of third tuners that receive broadcast signals of the same or different broadcast systems, said video signal extractor includes a plurality of first decoders that extract video signals, respectively, from the broadcast signals of the same or different broadcast systems, received by said plurality of first tuners, said sound signal extract includes a plurality of

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second decoders that extract sound signals, respectively, from the broadcast signals of the same or different systems, received by said plurality of second tuners, and said program link information extractor includes a plurality of third decoders that extract program link information signals, respectively, from the broadcast signals of the same or different broadcast systems, received by said plurality of third tuners.

The admitted prior art Fig. 10 disclosed in pages 1-9 of the specification teaches a conventional television receiver having an AM radio tuner, a FM radio tuner, a ground wave tuner, a BS tuner, a CS tuner, a ground wave sound decoder, a BS sound decoder, a CS sound decoder, a radio sound decoder, a ground wave program link information decoder, a BS program link information decoder, a CS program link information decoder, a ground wave video decoder, a BS video decoder, and a CS video decoder.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the tuners and decoders as taught by the admitted prior into Shintani's system in order to increase the number of video and audio programs broadcasted by different broadcast stations to be received by the receiver.

In considering claim 4, the admitted prior art also teaches the claimed wherein said first receiver includes at least one of a ground wave broadcast tuner that receives a ground wave broadcast signal and a satellite broadcast tuner that receives a satellite broadcast signal (pages 1-2 of the specification), said second receiver includes at least one of a ground wave broadcast tuner that receives a ground wave broadcast signal, a satellite broadcast tuner that receives a satellite broadcast signal, and a radio broadcast

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tuner that receives a radio broadcast signal (pages 1-2 of the specification), said third receiver includes at least one of a ground wave broadcast tuner that receives a ground wave broadcast signal and a satellite broadcast tuner that receives a satellite broadcast signal (pages 1-2 of the specification), said video signal extractor includes at least one of a ground wave broadcast video decoder and a satellite broadcast video decoder provided corresponding to the ground wave broadcast tuner or the satellite broadcast tuner (pages 1-2 of the specification), said sound signal extractor includes at least one of a ground wave broadcast sound decoder, a satellite broadcast sound decoder or a radio broadcast sound decoder provided corresponding to the ground wave broadcast tuner, the satellite broadcast tuner and the radio broadcast tuner (pages 1-2 of the specification), and said program link information signal extractor includes at least one of a ground wave broadcast program link information decoder and a satellite broadcast program link information decoder provided corresponding to the ground wave broadcast tuner or the satellite broadcast tuner (pages 1-2 of the specification).

6. Claims 5-9 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shintani (US Patent No. 5,602,598).

In considering claim 5, Shintani discloses all the claimed limitations as discussed in claim 1 above except for providing a program information that stores information of a program to be broadcast and a same-content-program searcher that searches for programs of the same content on the basis of the program information stored in said program information storing means.

The capabilities of storing television programs guides in the server indicating television programs to be broadcast and searching for programs of the same content on the basis of television programs guides are old and well known in the art and; therefore, Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known storing television programs guides in the server indicating television programs to be broadcast and searching for programs of the same content on the basis of television programs guides into Shintani's system in order to simplify the process of searching the desired video program to be broadcasted.

In considering claim 6, it is noted that the claimed a same-content-program display controller that displays on said display device the programs of the same content searched by said same-content-program searcher is also old and well known in the art.

In considering claim 7, the claimed a same-content-program selection controller that controls the selecting operation to be carried out by said first, second and third selectors on the basis of the program of the same content displayed by said same-content-program searcher is considered to be old and well-known in the art.

In considering claim 8, Shintani discloses all the claimed limitations as discussed in claim 1 above except for providing a broadcast signal coincidence controller that controls for controlling said first and second selectors so that the first broadcast signal and the second broadcast signal received by said receiver become coincident with each other when the program based on said first broadcast signal or said second broadcast signal changes to a commercial break.

The capability of changing from one program to other program during commercial break is also old and well known in the art and; therefore, Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known changing from one program to other program during commercial break into Shintani's system in order to allow user watch desirable program during commercial break.

In considering claim 9, the claimed a setter that sets the television receiver in a mode that a video and a sound of the commercial break are output or a mode that a video and a sound of a program are output when the program based on said first or second broadcast signal received by said receiver changes to the commercial break ad wherein said broadcast signal coincidence controller controls said first and second selectors so that said first and second broadcast signals become coincident with each other in accordance with said set mode is considered to be old and well known in the art.

Method claims 11-15 are rejected for the same reasons as discussed in apparatus claims 5-9, respectively.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TT
July 21, 2006



Trang U. Tran
Examiner
Art Unit 2622